

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Deutsche Bank National Trust Company)
(f/k/a Bankers Trust Company of)
California, N.A.), as trustee on behalf of)
the owners of Mortgage Pass-Through)
Certificates Series 2001-AM1)

Plaintiff,)

vs.)

Angela Merles, et al.)

Defendants.)

Case No. 1:05-cv-02771

Judge Christopher A. Boyko

ORDER CANCELLING SALE
PROCEEDINGS, VACATING
JUDGMENT, AND DISMISSING
CASE

CHRISTOPHER A. BOYKO, J:

This matter is before the Court on the motion of Plaintiff for an entry cancelling sale proceedings, vacating the judgment and decree of foreclosure entered in this case under Rule 60(b)(5) and for an order dismissing this case under Rule 41(a)(2) of the Federal Rules of Procedure. The Court grants Plaintiff's motion. The Judgment and Decree of Foreclosure entered in this case is vacated and this action is dismissed without prejudice at Plaintiff's costs. The Clerk is ordered to distribute the remaining amount of Plaintiff's \$1,800.00 deposit in the amount of \$946.00, to Plaintiff.

IT IS SO ORDERED.

5/17/07
Date

Christopher A. Boyko
JUDGE CHRISTOPHER A. BOYKO
United States District Court Judge

FILED

MAY 17 2007

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND